

**“PLEASE TURN OFF CELL PHONES OFF PRIOR TO START OF MEETING.
THANK-YOU”.**

Welcome to the Village of Wappingers Falls Second Monthly Meeting of the Mayor and Board of Trustees today Wednesday, May 31, 2023, 6:00 PM.

PLEDGE OF ALLEGIANCE TO THE FLAG:

ROLL CALL BY THE CLERK OF THE VILLAGE Mayor Huber, Trustee Nicholas, Trustee Tyliczszak, Trustee Niznik, Trustee Williams, Trustee Ruffen, Trustee Smith, Village Attorney Lindars.

AUTHORIZATION TO PAY BILLS AS PER APPROVED WARRANTS

REGULAR SESSION:

Dutchess Roots - Cannabis discussion with Village Board. Mayor

Discussion of Local laws. Tr. Ruffen

Approval to hire Kenya Jenkins as fulltime police assistant.

Discussion:

AREA ONE. ADAMS STREET (ENTIRETY [FROM MAPLE TO END]). THIS TREATMENT OF A COMPACTED 2” H.M.A. TOP COURSE (6F3) OVERLAY WILL BE FIRST TRUED AND LEVELED AND APPLIED BY THE PROPOSED VENDOR (BLACKTOP MAINTENANCE – “B.T.M”), AFTER PRELIMINARY WORK AND ONGOING WORK BY VILLAGE D.P.W. WHICH INCLUDES DIG-SAFE MARKOUTS, RISER AND ADJUSTMENTS TO ALL STRUCTURES, STREET SWEEPER, SAWCUT AND MILL OF DRIVEWAYS AND KEY-INS / REBATES, PURCHASE OF 234 TONS OF 6F3 AND 20 TONS OF T&L, AND TRAFFIC CONTROL). TOTAL ESTIMATED COST OF THIS PROJECT IS 34,768.00USD.

AREA TWO. ELM STREET EXTENSION (ENTIRETY [FROM CLAPP AVE TO END]) AND CLAPP AVENUE (PRIOR TO FRANKLINDALE TO LOWER HENRY STREET. THIS TREATMENT OF A 2 – 4 INCH MILL AND FILL WILL BE CONDUCTED BY THE PROPOSED VENDOR, AFTER PRELIMINARY WORK AND ONGOING WORK BY VILLAGE D.P.W. WHICH INCLUDES DIG-SAFE MARKOUTS, RISER AND ADJUSTMENTS TO STRUCTURES, STREET SWEEPER, TRUE AND LEVEL ROCK AREA, REMOVAL OF DEBRIS, PURCHASE OF 340 TONS OF 6F3, TRAFFIC CONTROL. TOTAL ESTIMATED COST OF THIS PROJECT IS 42,065.00USD.

Cameras Vet's Field. Attached are three proposals for possible upgrades to the camera system I would like the board to discuss at our next workshop. Tr. Tyliszczak.

Approve clerk to submit an MSD-222 to DC Personnel for constable position.

Approval 90-day waiver for officers to work up to 39 hours per week. Brian Levy, Danesha Miller, Geoff Weaver, and Scott McHugh

Parks Commission. Mayor Huber

Approval recognizing former Village DPW Superintendent Thomas Marshall by installing a sign above the Church Street sign as "Tommy Marshall Way". Clerk / Mayor Huber.

Approval 44th Annual Joseph McDonald / Bill Cruise Memorial Run on Saturday, June 3rd, 2023. Routes are in the handout.

Approval RingSquared telephone service provider \$188. Per month. Court / Clerk

Approval bond resolution Tri- Muni \$487,505.00

BOND RESOLUTION DATED MAY 31, 2023.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$487,505 BONDS OF THE VILLAGE OF WAPPINGERS FALLS, DUTCHESS COUNTY, NEW YORK, TO PAY THE VILLAGE'S SHARE OF THE COST OF THE SLUDGE DIGESTION IMPROVEMENTS AT THE WASTEWATER TREATMENT PLANT UNDER THE CONTROL OF THE VILLAGE, THE TOWN OF POUGHKEEPSIE AND THE TOWN OF WAPPINGER THROUGH THE TRI-MUNICIPAL SEWER COMMISSION, PURSUANT TO AN INTERMUNICIPAL AGREEMENT.

WHEREAS, the Village of Wappingers Falls (the "Village") is a party to an intermunicipal agreement among the Village, the Town of Poughkeepsie and the Town of Wappinger (the "Agreement"), pursuant to which the Village has the right to the continued use of certain wastewater conveyance and treatment facilities through the Tri-Municipal Sewer Commission;

WHEREAS, the term of the Agreement extends to such time as bonds issued by the parties thereto have been fully paid, satisfied and discharged, thus evidencing the intent of the parties thereto to ensure that moneys borrowed by the participants will be used to confer a benefit continuing during the period of repayment of such borrowings;

WHEREAS, the Village now desires to finance \$487,505 to pay for its share of the cost, pursuant to the Agreement, of the sludge digestion improvements at the Tri-Municipal Sewer Commission's Wastewater Treatment Plant, as described in an February 15, 2023 map, plan and report prepared by C.T. Male Associates;

NOW, THEREFORE, BE IT RESOLVED, by the Village Board of Trustees of the Village of Wappingers Falls, Dutchess County, New York, as follows:

Section 1. For the paying the Village's share of the cost of the sludge digestion improvements at the Tri-Municipal Sewer Commission's Wastewater Treatment Plant, as described in the February 15, 2023 map, plan and report prepared by C.T. Male Associates, pursuant to the Agreement, a class of objects or purposes, there are hereby authorized to be issued \$487,505 bonds of said Village pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid class of objects or purposes is \$487,505, and the plan for the financing thereof is by the issuance of the \$487,505 bonds of the Village of Wappingers Falls, Dutchess County, New York, authorized to be issued pursuant to this resolution. The remainder of the total cost of the project as described in the aforesaid map, plan and report shall be paid by the Town of Poughkeepsie or the Town of Wappingers in accordance with the Agreement.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty years pursuant to subdivision four of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds authorized will exceed five years, and that the foregoing is not an assessable improvement.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Village of Wappingers Falls, Dutchess County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent such appropriation is not made from other sources, there shall annually be levied on all the taxable real property in said Village a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Village of Wappingers Falls, Dutchess County, New York, by the manual or facsimile signature of the Village Treasurer and a facsimile of its corporate seal shall be

imprinted thereon and may be attested by the manor of facsimile signature of the Village Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Village Treasurer, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he or she shall deem best for the interests of said Village, including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, he or she shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Village Treasurer shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Village Treasurer. Such notes shall be of such terms, form and contents as may be prescribed by said Village Treasurer consistent with the provisions of the Local Finance Law.

Section 9. The Village Treasurer is hereby further authorized, at his or her sole discretion, to execute a project financing agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the class of objects or purposes described in Section 1 hereof, or a portion thereof, by a bond, and, or note issue of said Village in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 10. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Village by the facsimile signature of its Village Treasurer, providing for the manual countersignature of a fiscal agent or of a designated official of the Village), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Village Treasurer. It is hereby determined that it is to the financial advantage of the Village not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in

such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Village Treasurer shall determine.

Section 11. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 12. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 13. Upon this resolution taking effect, the same shall be published in the *SDN* the official newspaper, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 14. This resolution is adopted subject to permissive referendum in accordance with Section 36.00 of the Local Finance Law and Article 9 of the Village Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Mayor Huber	VOTING _____
Trustee Niznik	VOTING _____
Trustee Tyliszczak	VOTING _____
Trustee Williams	VOTING _____
Trustee Nicholas	VOTING _____
Trustee Ruffen	VOTING _____
Trustee Smith	VOTING _____

The resolution was thereupon declared duly adopted.

Approval creating criteria for eligibility for Tri-Muni alternates.

Approval to promote PO Jennifer Farrel to Seargeant.

Discussion gas / diesel motorized vehicle mechanic. Exempt (MSD-222) Clerk/ Tr. Niznik

Approval to move Jeannie Downey “Deputy Court Clerk” P/T to “Court Attendant” Hrly.

EXECUTIVE SESSION Police personnel. Tr. Niznik Bus Cameras Tr. Ruffen engineering support Tr. Niznik

_____ I need a motion to adjourn into Executive Session at: _____ [time] for the purpose of discussing (pick one or more below):

- _____ pending litigation in the matter(s) of – _____ v. _____
- _____ negotiations conducted pursuant to the Taylor Law
- _____ Impact to water usage
- _____ the employment history of a particular person
- ☒ matters leading to the appointment of a particular person
- _____ matters leading to the hiring of a particular person / persons.
- _____ matters leading to the demotion of a particular person
- _____ matters leading to the discipline of a particular person
- _____ matters leading to the termination of a particular person
- _____ performance / management of a particular position
- _____ matters leading to the appointment of a particular business
- _____ matters leading to the termination of a particular supplier
- _____ a disciplinary matter involving a particular employee
- ☒ seeking legal advice from the Village’s Attorney
- _____ matters that would impact public safety

Motion made by _____, seconded by _____

All in Favor: _____ Opposed: _____ Abstain: _____

Motion passes [] – []

I need a motion to exit Executive Session and return to the Public Meeting at _____ (time)

Motion made by _____, seconded by _____

All In Favor: _____ Opposed: _____ Abstain: _____

Motion passes [] – []

REGULAR SESSION:

Motion to adjourn the 05/31/2023 Village Board Meeting